

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIRGINIA MILANES, OMAR MIGUEL FARFAN,
MANUEL ALBERTO MARTINEZ, ANDRES
GIOVANNY SANCHEZ, NANCY CASTRO, and
MARGOTH PEREZ DE CHALAMPA, on behalf of
themselves and all other similarly situated individuals,

08 Civ. 2354 (LMM)

Plaintiffs,

-against-

MICHAEL CHERTOFF, in his official capacity as
Secretary of the Department of Homeland Security,
EMILIO GONZALEZ, in his official capacity as
Director of the United States Citizenship and
Immigration Services, ANDREA QUARANTILLO,
in her official capacity as District Director of the
New York City District of the United States
Citizenship and Immigration Services,
MICHAEL B. MUKASEY, in his official capacity as
Attorney General of the United States, and
ROBERT S. MUELLER, III, in his official capacity as
Director of the Federal Bureau of Investigation,

Defendants.

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DECLARATION OF NANCY CASTRO

I, NANCY CASTRO hereby declare and say:

1. I was born in the Dominican Republic in 1956. I married Angel Francisco Castro
in July 1981 in the Dominican Republic. We had three children.

2. I entered the United States as a lawful permanent resident on January 28, 1983
with my husband, also a lawful permanent resident. My husband Angel Francisco
Castro was naturalized on February 11th, 1999. My eldest son and daughter have also
been naturalized.

3. I currently reside with my husband who is now 69 years old in a Senior
housing apartment building residence in the Bronx.

4. I am disabled from injuries suffered in a fall several years ago. I began receiving SSI benefits on or about June, 2006 and currently receive \$ 332.50 monthly from SSI. My husband is retired and receives Social Security and SSI.

5. I filed an N-400 naturalization application on or about August 24, 2006. The Institute for the Puerto Rican and Hispanic Elderly prepared my application. I received an I-797C, Notice of Action from the U.S. Citizenship and Immigration Services ("USCIS") dated August 31, 2006 confirming receipt of my application.

6. I received a notice from USCIS dated September 12, 2006 scheduling a biometrics appointment at the USCIS Application Support Center in the Bronx on September 12, 2006. I went to the Bronx USCIS Application Service Center on September 12, 2006 at which time my fingerprints were taken. See, Castro Exhibit "1".

7. I then received a notification from USCIS dated June 8, 2007 notifying me to appear at USCIS at 26 Federal Plaza on August 7, 2007 for an interview and examination on my application for naturalization. See, Castro Exhibit "2".

8. I subsequently received another notification from USCIS dated July 18, 2007 stating that "due to unforeseen circumstances, [my] scheduled interview for August 7th, 2007 was cancelled." The notice also states that "we will advise you of any further action taken on my case, including any rescheduled interview." See, Castro Exhibit "3".

9. At the time the underlying complaint was filed on March 6, 2008, over 18 months after I had applied for citizenship, I was still waiting for USCIS to reschedule my interview.

10. I recently contacted USCIS and made an Infopass appointment to ascertain the status of my application. My daughter came with me to the March 12th, 2008 appointment at 26 Federal Plaza. We spoke with an USCIS immigration staff person who took down my

information and copied my papers. The immigration officer said that a supervisor would review my information and send me a written notification of my case status.

11. USCIS by notice dated March 20, 2008 has now rescheduled my citizenship interview and examination for April 7th, 2008. See, Castro Exhibit "4".

12. I understood that it would take USCIS approximately 6 months or so to process my application so I could become a U.S. citizen. I subsequently learned that USCIS had announced that it would take them approximately 16 to 18 months to process, because of FBI and USCIS delays in completing name and background checks.

13. I feel that these additional delays are very unfair. I filed my application over 18 months ago.

14. I am suffering greatly from defendants' delay in processing my application for naturalization. My 69 year old husband, two of my children and four grandchildren are all U.S. citizens. I very much want to become a citizen of the same country as my family.

15. I also want to be able to vote in this fall's elections and participate in the civic process of the United States, my adopted country, by helping to elect the next president.

The foregoing has been read to me in my native language, Spanish, and, pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

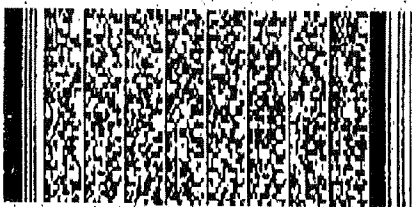
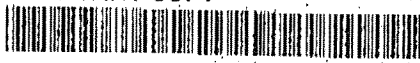
Executed this 21st day of March 2008.


NANCY CASTRO

I-797C, Notice of Action

UNITED STATES OF AMERICA

OK (signature)

Fingerprint Notification			NOTICE DATE September 01, 2006
Application For Naturalization			USCIS # A 037 640 255
APPLICATION NUMBER ESC 001699752	RECEIVED DATE August 24, 2006	PRIORITY DATE August 24, 2006	PAGE 1 of 1
APPLICANT'S NAME AND MAILING ADDRESS NANCY ARGENTINA CASTRO 2995 INDEPENDENCE AVENUE BRONX NY 10463			
FBI SITE CODE: <u>BRX NY</u> FBI METRICS Q&A REVIEW BY: _____ ON _____ FBI TENPRINTS Q&A REVIEW BY: _____ ON <u>9/1/06</u>			
To process your application, USCIS must take your fingerprints and have them cleared by the FBI. PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED. If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below. RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW OR FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.			
APPLICATION SUPPORT CENTER CIS BRONX 2378 GRAND CONCOURSE BRONX NY 10458		DATE AND TIME OF APPOINTMENT 09/12/2006 12:00 PM	
WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR FINGERPRINTS TAKEN, YOU MUST BRING: 1. THIS APPOINTMENT NOTICE and 2. PHOTO IDENTIFICATION. Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.			
PLEASE DISREGARD THIS NOTICE IF YOUR APPLICATION HAS ALREADY BEEN GRANTED.			
REQUEST FOR RESCHEDULING Please reschedule my appointment for the next available: <input type="checkbox"/> Wednesday afternoon <input type="checkbox"/> Saturday afternoon USCIS cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to: CIS BRONX 2378 GRAND CONCOURSE BRONX NY 10458 If you have any questions regarding this notice, please call 1-800-375-5283.			
APPLICATION NUMBER ESC 001699752		APPLICANT COPY 	
WARNING! Due to limited seating availability in our lobby areas, only persons who are necessary to assist with transportation or completing the fingerprint worksheet should accompany you.			

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

THE UNITED STATES OF AMERICA

Request for Applicant to Appear for Naturalization Initial Interview			NOTICE DATE June 08, 2007
CASE TYPE N400 Application For Naturalization			USCIS A# A 037 640 255
APPLICATION NUMBER ESC*001699752	RECEIVED DATE August 24, 2006	PRIORITY DATE August 24, 2006	PAGE 1 of 1

APPLICANT NAME AND MAILING ADDRESS
NANCY ARGENTINA CASTRO
2995 INDEPENDENCE AVE #11-M
BRONX NY 10463

Please come to:
USCIS MANHATTAN CENTER
26 FEDERAL PLAZA
USCIS 7TH FLOOR ROOM RM7-700
MAIN ROOM
NEW YORK NY 10278

On (Date): Tuesday, August 07, 2007
At (Time): 07:25 AM

You are hereby notified to appear for an interview on your Application for Naturalization at the date, time, and place indicated above. Waiting room capacity is limited. Please do not arrive any earlier than 30 minutes before your scheduled appointment time. The proceeding will take about two hours. If for any reason you cannot keep this appointment, return this letter immediately to the USCIS office address listed below with your explanation and a request for a new appointment; otherwise, no further action will be taken on your application.

If you are applying for citizenship for yourself, you will be tested on your knowledge of the government and history of the United States. You will also be tested on reading, writing, and speaking English, unless on the day you filed your application, you have been living in the United States for a total of at least 20 years as a lawful permanent resident and are over 50 years old, or you have been living in the United States for a total of 15 years as a lawful permanent resident and are over 55 years old, or unless you have a medically determinable disability (you must have filed form N648 Medical Certification for Disability Exception, with your N400 Application for Naturalization).

You MUST BRING the following with you to the interview:

- This letter.
- Your Alien Registration Card (green card).
- Any evidence of Selective Service Registration.
- Your passport and/or any other documents you used in connection with any entries into the United States.
- Those items noted below which are applicable to you:

If applying for NATURALIZATION AS THE SPOUSE of a United States Citizen;

- Your marriage certificate.
- Proof of death or divorce for each prior marriage of yourself or spouse.
- Your spouse's birth or naturalization certificate or certificate of citizenship.

If applying for NATURALIZATION as a member of the United States Armed Forces;

- Your discharge certificate, or form DD 214.

If copies of a document were submitted as evidence with your N400 application, the originals of those documents should be brought to the interview.

PLEASE keep this appointment, even if you do not have all the items indicated above.

If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.

USCIS Office Address:
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
7TH FLOOR ROOM 7-700
26 FEDERAL PLAZA
NEW YORK NY 10278

USCIS Customer Service Number:
(800) 375-5283

APPLICANT COPY



THE UNITED STATES OF AMERICA

Interview Descheduled by USCIS

NOTICE DATE
July 18, 2007

CASE TYPE

N400 Application For Naturalization

USCIS A#

A 037 640 255

APPLICATION NUMBER

ESC*001699752

RECEIVED DATE

August 24, 2006

PRIORITY DATE

August 24, 2006

PAGE

1 of 1

APPLICANT NAME AND MAILING ADDRESS

NANCY ARGENTINA CASTRO

2995 INDEPENDENCE AVE #11-M

BRONX NY 10463

This is to advise you that, due to unforeseen circumstances, we have had to cancel the previously scheduled interview on ~~Tuesday, August 07, 2007~~ at 07:25 AM for the above applicant. We regret any inconvenience this may cause.

We will advise you of any further action taken on this case, including any rescheduled interview information, under separate notice.

If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.

USCIS Office Address:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
7TH FLOOR ROOM 7-700
26 FEDERAL PLAZA
NEW YORK NY 10278-

USCIS Customer Service Number:
(800) 375-5283



Request for Applicant to Appear for Naturalization Initial Interview			NOTICE DATE March 20, 2008
CASE TYPE N400 Application For Naturalization			USCIS A# A 037 640 255
APPLICATION NUMBER ESC*001699752	RECEIVED DATE August 24, 2006	PRIORITY DATE August 24, 2006	PAGE 1 of 1

APPLICANT NAME AND MAILING ADDRESS
NANCY ARGENTINA CASTRO
2995 INDEPENDENCE AVE #11-M
BRONX NY 10463

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Please come to:
DISTRICT OFFICE
26 FEDERAL PLAZA
USCIS 7TH FLOOR ROOM RM7-700
MAIN ROOM
NEW YORK NY 10278
On (Date): Monday, April 07, 2008
At (Time): 08:00 AM

You are hereby notified to appear for an interview on your Application for Naturalization at the date, time, and place indicated above. **Waiting room capacity is limited. Please do not arrive any earlier than 30 minutes before your scheduled appointment time.** The proceeding will take about two hours. If for any reason you cannot keep this appointment, return this letter immediately to the USCIS office address listed below with your explanation and a request for a new appointment; otherwise, no further action will be taken on your application.

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- Those items noted below which are applicable to you:

If applying for NATURALIZATION AS THE SPOUSE of a United States Citizen;

- Your marriage certificate.
- Proof of death or divorce for each prior marriage of yourself or spouse.
- Your spouse's birth or naturalization certificate or certificate of citizenship.

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- Your discharge certificate, or form DD 214.

If copies of a document were submitted as evidence with your N400 application, the originals of those documents should be brought to the interview.

PLEASE keep this appointment, even if you do not have all the items indicated above.

If you have any questions or comments regarding this notice or the status of your case, please contact our office at the below address or customer service number. You will be notified separately about any other cases you may have filed.

USCIS has a free booklet to help you study for the naturalization test. Ask about 'Learn About the United States: Quick Civics Lessons' when you go to have your fingerprints taken at the Application Support Center.

USCIS Office Address:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
USCIS 7TH FLOOR ROOM 7-700
26 FEDERAL PLAZA
NEW YORK NY 10278-

USCIS Customer Service Number:
(800) 375-5283

APPLICANT COPY

